

## **HAMPTON PLANNING BOARD**

### **MINUTES**

**January 6, 2016 – 7:00 p.m.**

**PRESENT:** Brendan McNamara, Chair  
Fran McMahon, Vice Chair  
Tracy Emerick  
Keith Lessard  
Mark Olson  
Ann Carnaby, Clerk  
James Waddell, Selectman Member  
Jason Bachand, Town Planner  
Laurie Olivier, Office Manager/Planning

**ABSENT:**

### **I. CALL TO ORDER**

Chairman McNamara began the meeting at 7:00 p.m. by leading the Pledge of Allegiance and introducing the Planning Board members.

### **II. ATTENDING TO BE HEARD**

### **III. NEW PUBLIC HEARINGS**

#### **PUBLIC HEARING FOR ZONING ORDINANCE AMENDMENTS**

- Amend Article II Section 2.3.2, Definitions and Delineations to add to subpart H to designate the Taylor River (East) Complex as a “Prime Wetland”.
- Amend Article II – Districts, Section 2.3.1 Purposes to include vernal pools in the list of areas covered by the Wetland Conservation District. Also amend Article II – Districts, Section 2.3.2 B Definitions – “Inland Wetlands” to add examples of inland wetlands.
- Amend Article II – Districts, Section 2.3.2 E Definitions – Buffer to add a 100’ buffer and specify the list of select 1<sup>st</sup> through 4<sup>th</sup> Order streams, rivers and their tributaries. Amend Article II – Districts, Section 2.3.3 Permitted Uses to add a new section that covers the permitted uses within the 1<sup>st</sup> through 4<sup>th</sup> order streams and their buffers. Amend Article II – Districts, Section 2.3.4 Use Restrictions and Prohibited Uses (B, D, and F) to include appropriate references and clarifications with regards to the 1<sup>st</sup> through 4<sup>th</sup> order streams and its 100’ buffer. Lastly amend Article II – Districts, Appendix to include a reference to the accepted scientific paper that established stream order.

Ms. Rayann Dionne, Conservation Coordinator, appeared with Jay Diener, Chairman of the Conservation Commission. Ms. Dionne stated the Amendments are on the Town of Hampton website.

Ms. Dionne discussed the article to designate the Taylor River east complex as a prime wetland. They are not going forward with the Warrant Article this year. There were major updates in 2012 to the RSA’s that govern the designation of prime wetlands. Ms. Dionne spoke with DES in September to make sure the prime wetland study is still valid. The Conservation Commission was told the study is valid. There are two major reasons for tabling the article this year. The first has to do with the

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criteria that no surface water bodies can be used to connect to wetland complexes. This means the Taylor River complex area actually consist of three separate smaller complexes. Each of which would need to be re-evaluated individually to see if they meet the criteria to be a prime wetland candidate. Secondly, no portion of a prime wetland complex can be less than 50' in width. Based on the 2006 mapping, the widths of each wetland area would need to be reviewed and updated as necessary to meet this requirement. Ms. Dionne discussed the two questions raised at the last meeting regarding the percentage of very poorly drained soils and field verification visits. The Conservation Commission is waiting for a formal response from NHDES on these two issues. Overall, there are unfortunately too many unanswered questions at the time to move forward this year.

### PUBLIC

**MOVED** by Mr. Emerick NOT to move this Article to the ballot.

**SECOND** by Mr. Olson.

**VOTE: 7 – 0 – 0.**

**MOTION PASSED.**

Ms. Dionne noted a few meetings ago she discussed an Article creating a 100' buffer for 1<sup>st</sup> through 4<sup>th</sup> order streams. That Article was since divided out into two per the Town Attorney's review. The first section of this Warrant Article is a minor addition to the "Purpose" section to include vernal pools as a protected resource. The second is the update of the "inland" wetland definition to include examples such as non-tidal portions of ponds, rivers and streams. This is available at the Planning Office.

### PUBLIC

**MOVED** by Mr. Emerick to move this Article to the ballot.

**SECOND** by Mr. Lessard.

**VOTE: 7 – 0 - 0.**

**MOTION PASSED.**

Mr. Diener discussed 1<sup>st</sup> and 4<sup>th</sup> Order streams. They discussed with the Town Attorney their concerns about putting permitted and prohibitive uses. Language was put in the same format as tidal wetlands and others. The "Buffer" definition was updated. This is available in the Planning Office. In "Permitted Uses", a new section was added; again all information is available at the Town Planning Office. This is consistent with other sections in the Ordinance.

Mr. Diener stated the Appendix was added as well. Mr. Diener gave some quick background information. The 1<sup>st</sup> Order streams are smaller and increase in size when streams meet/combine. Mr. Diener discussed why it is important to protect these streams now. Mr. Diener discussed reducing pollution and erosion, water temperatures (keeping them cooler); providing adequate food and shelter, to name a few.

Further information is available on the Town website; [www.Hamptonnh.gov](http://www.Hamptonnh.gov).

### PUBLIC

**MOVED** by Mr. Emerick to move this Article to the ballot.

**SECOND** by Mr. Olson.

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Mr. Gerald Miller, 31 Ashbrook Drive appeared. He has nothing against protecting water bodies. In the beginning (E.Buffer), at the asterix....it refers to Appendix 7. Appendix 7 is the reference to the watershed information. He asked the Board how many have read it. He said it has nothing to do with defining 1<sup>st</sup> and 4<sup>th</sup> Order streams. He discussed another study (1945), and noted that that study was based off a European study. In that text, one will get an idea what a 1<sup>st</sup> Order stream is. A 1<sup>st</sup> Order stream is the upper most fingertip of watershed, where it first starts to create an erosive channel. The map referred to that depicts 1<sup>st</sup> through 4<sup>th</sup> Order streams, is not a correct map. It is incomplete and it says it on the map itself. He thinks before going to 1<sup>st</sup> or 2<sup>nd</sup> Order stream, the Planning Board should understand what it means. There won't be any fish in a 1<sup>st</sup> Order stream. No aquatic life is being protected. He said the Town should put in methods of creating erosion control. He doesn't see that in the Ordinances.

Ms. Dionne said they use the USGS (US Geological Services) reference for 1<sup>st</sup> through 4<sup>th</sup> order streams. That is what is being used so she used the document that is used to establish those streams. Ms. Dionne said the DES map is the map from the Shoreland Protection Act and is the most complete map for stream order available to the Town. It was done in 2009.

Mr. Lessard discussed the streams in Hampton being addressed. Hampton is not calling out ditches, etc. This amendment is calling out the 7 waterways addressed.

Mr. Miller said if the Town is only going with this map, he said the first sentence needs to be removed—delete “and their tributaries”. E.2.—after the asterix.

Ms. Dionne said at Ashbrook there's an unnamed portion that feeds into it that the Town cannot name. The Town has to include tributaries. Would this be picked up on a soil survey was asked by Mr. Lessard. Mr. McNamara said tributaries come from that source. He asked if some sources are not tributaries. Mr. Diener said they are associated with the 1<sup>st</sup> through 4<sup>th</sup> Order streams. Mr. Diener said delineations are asked for if needed.

Mr. Miller said the map has been modified to only show the map itself, stream orders legend and what has been added is the identification of streams. He said it is a modified map. It was for the Shoreland Protection Act.

Mr. Diener said the protection of 1<sup>st</sup> through 4<sup>th</sup> order streams was based on a recommendation from the PREPA report. It's based on specific recommendations. Mr. Lessard said they would still be protected by the 50' buffer in the language Mr. Miller requests be removed. Mr. Lessard wants it left to the 7 rivers, but not the tiny rivers. Mr. Olson asked them to eliminate portions. Ms. Dionne explained the feeder 1<sup>st</sup> Order streams will not be protected. First Order streams just do not have names. Mr. Olson asked if they don't have names, do they qualify as a stream. Ms. Dionne said there is no requirement to name them. Ms. Dionne said the map can be used as a guide. Ms. Dionne also wants this to be added to a layer to the GIS.

Mr. Diener discussed the flow of first order streams. Fertilizers were discussed. Mr. Diener said we need to take more steps to protect the head waters. Mr. Lessard said calling a stream a 1<sup>st</sup> Order stream is the problem. Delineations take place first. Erosion has to be taking place.

Mr. Waddell said it is confusing in the warrant. You think it's just the 7 streams, but now it is the tributaries. He doesn't know if people would know what they are voting on. Mr. Emerick said these can be manmade or man 'caused' by grading. If water flows off someone's property, then a finger of Level 1 can be created.

Mr. McNamara asked if the 1<sup>st</sup> Order could be taken out. Mr. Diener said he'd sooner take out tributaries. Little River would be removed entirely. Ms. Dionne said even a few 2<sup>nd</sup> Order streams may not be named.

Mr. Olson said to eliminate the tributaries piece. It will still protect 1<sup>st</sup> through 4th.

The Planning Board wishes to drop “and their tributaries”.

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Ms. Mary-Louise Woolsey appeared. She said Mr. McPhee (driveway applicant) is at tonight's meeting. Nilus Brook is within about 10' of his driveway. It's how the property was developed. Developments are being put in with no protection of the water supply. Ms. Woolsey thinks the Conservation Commission did a great job.

Ms. Dionne asked if there would have to be another public meeting. There is not time on the clock. It was asked if the change is substantial.

Mr. McNamara doesn't want it scrapped entirely. He is inclined to leave it in. The Conservation Commission and Planning Department can help the public in different instances.

Mr. McMahon said the language will be the language. This can't be left on the lap of the Planner or Conservation Commission. It's going to say whatever it says.

Mr. Diener said he does not know that taking out the word "tributaries" is a major change; since the Board would be reducing the potential impact of ordinance change. It is not increasing the impact.

Ms. Carnaby discussed taking out the three words. She asked if that means we can't consider the tributaries when they are relevant. Taking those words out should not adversely impact the Amendment.

Mr. McNamara said there is a consensus among the Board that taking the words out ("and their tributaries") will not adversely affect the warrant article, or substantially affect it.

**MOVED** by Mr. Emerick to move this Article to the ballot.

**SECOND** by Mr. Olson.

**VOTE: 7 - 0 - 0**

**MOTION PASSED.**

Mr. McNamara noted the Planning Board wishes to hear the last item of the agenda. 15-070, Towle Farm Road.

#### **15-070 Towle Farm Road (Batchelder Pond)**

Map 124 Lot 1

Applicants: Jordan Causer

Owner of Record: Hampton School District

Wetlands Permit: Removal of 6 old wooden benches and replacement of 5 new plastic benches (with bronze plaque naming donors/supporters) & picnic table. Addition of antique granite sign with Batchelder Pond engraved upon it.

Mr. Jordan Causer appeared. He is a Life Scout. He is working on his Eagle Scout project. He is doing the Batchelder Pond benches. One bench closer to the water will be taken out. He will put a picnic table there. Benches are recycled plastic. There will be pavers in front of them. The benches currently there are eroding. There will be sand underneath. The picnic table will be a kind of plastic. It does not rust. It is not hazardous. The granite sign will be two pieces of granite. The top part will not be able to be moved. Sonotubes will be filled with concrete. They can repair the new benches without taking up concrete. Around the sign, he will place bark mulch. Flowers can be put there to lighten up the area.

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Mr. Waddell said it sounds great. Mr. Lessard said the school is in favor. It will make people happy out there.

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Mr. Bachand said an abutter sent a letter in support of the project and he recommends approving it with the Conservation Commission's stipulations dated 12/28/15. Mr. Lessard asked Mr. Causer how people can contact him to donate as there will be plaques on the benches. He will provide contact information to the Town of Hampton Planning Department. He also spoke with Rusty Bridle about memorial benches. People can contact the Planning Department with regard to donations. They are looking for \$4,600.

Thermo-plastic was asked about by Ms. Carnaby. At normal temperature it's firm; if heated, it goes soft and pliable. Mr. Causer said it's molded around a steel frame of bench. If it sits in the sun, thermoplastic could melt.

**MOTION** by Mr. Emerick to approve the Wetlands Permit along with the stipulations contained in the Conservation Commission's letter dated December 28, 2015.

**SECOND** by Mr. Olson.

**VOTE: 7 – 0 – 0**

**MOTION PASSED.**

#### **15-061 Liberty Lane, 298 Exeter Road (NH Route 27) & Route 101**

Map: 67 Lot: 1

Applicant: Cornerstone at Hampton, LLC

Owners of Record: Seacoast Crossroad Realty Co., LLC

Site Plan and Wetlands Permit: Construct Healthcare facility; Redevelopment of lot, including an access drive & all associated parking, utilities, landscape and stormwater management system.

**Steve Paquette** appeared. **Dave Udelsman** (David U) architect appeared also and the management partners/team was in the audience.

Mr. Udelsman stated this is an assisted living facility. It is a 107 resident building. It is 60,000 square feet. Mr. Udelsman said there are two types of residents; it will be a memory support neighborhood and it will have 50 beds in that section. The courtyard design was discussed. It is a single-story building. It gives residents easy access to outside environment.

The Y-shaped wing is a 3-story traditional section of the building. That has 67 resident units, 13 of which are shared (a total of 80 resident rooms). 25,000 square feet per floor—75,000 square feet total. There will be activity rooms, dining rooms; lounge, café, theatre, health care facilities, hair salon, to name a few.

There will be a commercial kitchen and laundry facilities.

There is a drop off area (covered). The average population age is 85-87. There will not be many drivers. A fire lane supports the full perimeter of the building.

**John Lorden**, MSC Engineers appeared. This is in the Industrial zone; 10 acre lot. Same access driveway will be used. They went before the Zoning Board and they have gone to the Conservation meeting and went through three PRC meetings.

Mr. Lorden discussed drainage. The fire access lane will be porous as well. Utilities will be new. Landscaping and lighting (LED) was discussed. A District 6 driveway permit was discussed. They will need a Town of Hampton driveway permit. The State wants the "Yield" sign to stay.

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**Bob Larken** appeared. He noted that for 25 years they have been developing and operating projects like this. He discussed that it is a good design for seniors who do not need to be in a nursing home. Assisted living is for seniors who still have the desire to be social and appreciate being with other people. The community will be staffed with nurses (around the clock) and nurses on site. Certified nursing assistants will be there as well. OT and PT services will be provided. The Memory Support neighborhood will be secure for seniors who have dementia and some history or risk of wandering out unsafely. It will look no different than the rest of the community. Enjoying life and companionship for residents was discussed.

Mr. Paquette mentioned the team. They have been a group for over 25 years. They will build and construct the property, Mr. Larken and partners manage with them. They started back in mid 90's. They have completed about a dozen projects over the past 25 years. They are detail oriented.

Mr. Paquette discussed the site. This site has good highway access and it has connectedness to downtown. This is one of the best locations they found. There's a significant staff; significant tax dollars; little impact to the community. It should be a positive project.

Jim Gove (wetlands scientist) was introduced. Wetlands need to be discussed. The applicants hope to go back to the Conservation Commission with ways to deal with the wetlands.

Jim Gove, appeared. He flagged the wetlands. They did soil mapping. They did the site walk. RCCD has written off and said the wetlands are fine with regard to delineation. Mr. Gove discussed proximity to the roads. He discussed the drainage area. There are two isolated wetlands. Mr. Gove is dealing with all necessary parties, State, etc. A meeting with the Army Corp of Engineers, EPA, Conservation Commission and DES (next week) to discuss potential mitigation is all in the works.

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Mr. McMahon discussed the Alzheimer unit and asked if there is a nursing unit. NH sets up licensing levels per Mr. Udelsman. It is a supported residential health care facility. RSA 805 is the State Regulation that deals with this. Medicare services will be outside agencies. There is not a convalescent unit.

Mr. McMahon asked about Alzheimer units; it could be couples. Sometimes they are unrelated persons in the rooms per the applicant.

Mr. Olson asked about progress with the State on program for mitigation—a statewide fund. Mr. Gove said he thinks it will be a good discussion next week. The Federal Agency will be there too. Mr. Gove discussed the water tower location. Paying into the ARM fund was discussed. Money does not return to the Town.

Mr. Paquette discussed that the Town should have been a part of that meeting. They heard the Conservation Commission's concerns loud and clear. If the State does not compromise, he is dealing with owners. Having local mitigation is important with the Town.

Mr. Lessard asked about how much is being requested; it was noted about \$105,000.

Ms. Carnaby thinks the Town of Hampton should have first dibs on the mitigation plan and whatever monies are available. Mitigation in Hampton should be a choice.

Mr. Waddell asked if residents buy in or rent; it is rent. It is one year.

Mr. Lessard asked about physical obstacles to keep residents in the property. Mr. Udelsman said there is full lock down on exit doors of the building. Any doors leading outside the building, there will be magnetic locks on the doors. Windows have protection devices. Bottom windows only open so far.

Dealing with four seasons was discussed. Drains internally (storm drainage) will take place. Walks will be cleared. There is no smoking on the campus.

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Ms. Mary-Louise Woolsey appeared. She feels it is a great use of the property. Wetlands will have to be filled there. She said the Town should be entitled to proper mitigation. The State had the nerve to ask for \$100,000+ but she doesn't see it coming back to this community. She asked if Mr. Montrone would grant an easement. Ms. Woolsey discussed our wastewater treatment plant being overloaded. It was noted it will be \$60M to \$100M to replace the treatment plant was mentioned as it relates to water flow. She discussed the applicants sending a note to neighbors/abutters.

Corrine Baker appeared. She received notice from the Zoning Board and Planning Department. She likes the project. There will be a dumpster. There is sewer there as well. CR's has sewer also. Unifil has sewer. It does not go across the bridge.

Mr. Sam Lutner, Campbell Drive appeared. There will be an impact on Fire and EMS. He noted that a trip and fall requires transportation. Staffing of EMS will need to be addressed. Every third day someone could need a transport.

Mr. Emerick discussed the self-perpetuating funds run by employees. He finds it discouraging that they have authority to pre-empt a town in its own mitigation.

Mr. McMahon discussed the sites in the front. There may be a subdivision being asked for soon. There is a DOT easement right now. Corey Colwell, MSC Engineers, said the easement got conveyed into two parcels. The top parcel was conveyed to Seacoast Crossroads. There was a no-development clause in the deed. They are in the process of lifting that clause.

Mr. Bachand discussed sewer. It is a big issue now. It is a privately-owned pump station. There is a third party review currently underway.

Public safety is also a hot topic. The Police Chief mentioned a number of concerns - evacuation, etc. An emergency management plan will be required.

The Fire Chief expressed concerns including ambulance services.

The DPW said access is a concern, particularly with anticipated future development. There is the potential for another project across the street. CR's has its own curbcut. Safe and consistent access is a concern. Mr. Bachand said they may want to work with the other potential applicant.

Mr. Bachand asked about a Certificate of Need for this project. The applicant stated that it does not apply to the 805 license. It is for nursing homes. NH does not have this criteria per the applicant.

Mr. McNamara wants this postponed to another date; maybe February 3<sup>rd</sup>. Mr. Paquette would like to come back in February with all issues resolved. A meeting is scheduled with the State. Mr. Paquette wants to come back on February 3<sup>rd</sup>.

**MOTION** by Mr. Lessard to continue the application to February 17<sup>th</sup> in order to make sure there is plenty of time to prepare.

The meeting with the State is on January 12<sup>th</sup>.

Mr. Paquette thinks the application will be ready to be heard by February 3<sup>rd</sup>.

**MOTION** by Mr. Lessard to continue the application to February 3<sup>rd</sup>.

**SECOND** by Mr. Emerick.

**VOTE: 7 - 0 - 0.**

**MOTION PASSED.**

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#### 15-064 6 Highland Avenue

Map: 282 Lot: 64

Applicant: Yamajala Real Estate, LLC

Owners of Record: Same

Site Plan: Demolition of existing two units (completed) and construction of single structure containing three (3) residential units with parking underneath. Waiver Request: Section V.E. Detailed Plans.

Attorney Stephen Ells appeared with Henry Boyd, Millennium Engineering. The general contractors are in the audience. There were two dilapidated buildings; already removed. There will be a new building with parking underneath. They received one variance for density. They met with HBAC and were given recommendations.

Mr. Boyd discussed the site. One building with three units was discussed. No variance for parking was needed. Two parking spaces are available for each. There are pervious pavers. They went to the PRC meeting. A test pit was done on site. No grades are being changed. Mr. Boyd discussed items #8 and #9 of the Planner's Memo. Regarding trash, he asked if this is out curb side. Mr. Boyd showed where they would be stored when not full. On-site parking with signage was discussed. **Mr. Boyd will add where signs will be placed. If Mr. Bachand has a recommendation of where the signs should go, that would be good.**

Mr. McNamara asked about including numbers on the pavement. Mr. Boyd said not at this point. He could number with signs where they are going, but residents can figure it out. Mr. McNamara said the plan shows 9' x 18' but asked if one of the space is in fact 9' x 18'. **Mr. Boyd said he can re-check that parking space, but he believes it was designed that way.**

Mr. McMahon asked how one gets out of the parking spaces. Mr. Boyd said one will have to back out onto the street. It's a one-way street.

Ms. Carnaby asked if there is room between 3 and 6 to get a K turn in there. It's an 11' aisle width per Mr. Boyd. There are just pavers.

Mr. Lessard asked if parking spaces can be delineated. **Mr. Boyd thinks they can be striped or blocked.** This probably will become condos some day. Attorney Ells said it's a doctor and family and kids. He said this is what we are starting out with.

Mr. Lessard asked about stairs. There are internal stairs.

Mr. McNamara discussed the parking sign; it just has to say 'residential only'. Mr. McNamara thinks it should be located as one enters the property.

Excess snow will be trucked off site. There will not be air conditioning condensers in the building. Bob Charette appeared. Nothing will be on the ground. Mr. Boyd will make sure parking spaces are all 9' x 18'.

Parking lots are to be delineated with different pattern or block.

#### PUBLIC

Mr. Don Kenny, 8 Highland Avenue appeared with Chuck (his brother-in-law). He has no problem with the project. He has concerns with parking being underneath. He wanted to see the drawing. He asked if a fence will be put in between the properties; to help with exhaust. He is worried about water run-off. The bottom unit is on the ground.

Mr. Boyd said Dr. Yamajala said that they want to put up a **6' fence and he will add that to the plan.** Exhaust should be directed away from the property. He noted that 84 percent of the prior lot was sealed and it was all in the back. The pavement will be removed. The lot will receive rain water.



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Elevations will be the same as they are now. The area will be pervious. Mr. Boyd does not believe there are gutters. Rain falling down 40' onto cars was asked about. Mr. Kenny asked about colors.

It was asked if a swale would be added on the side where their property is to help collect water and divert it away. Mr. Boyd said there's no way to direct the water and no way to catch grade.

Mr. McNamara said the water should go into the ground. **The note will be added to the plans.** The Fire Code was discussed. Bob R. (?) representing Yamajala said Kevin Schultz (Building Inspector) said if you go closer than 10' to the fire line, windows have to be in there. Drip edge on roof is taken into consideration as well. There is an 8" overhang. Gutters can be put on if they are allowed to. **Mr. Boyd doesn't mind talking to Kevin Schultz.**

**Mr. Bachand discussed color coding for parking - it should be added to conditions. Parking to be delineated will be added to the conditions.**

The Conditions of the Planner's memo as well. The 6' high fence needs to be added as well.

**MOTION** by Mr. Emerick to approve the Site Plan along with the Planner's Memorandum dated January 6, 2016.

**SECOND** by Mr. Olson.

**VOTE: 7 – 0 – 0**

**MOTION PASSED.**

**MOTION** by Mr. Lessard to grant the waiver.

**SECOND** by Mr. Waddell.

**VOTE: 7 – 0 – 0**

**MOTION PASSED.**

### **15-065 Drakeside Road**

Map: 140 Lot: 3

Applicant: Chinburg Development, LLC

Owners of Record: Same

Site Plan: Construction of three-unit condominium.

Mr. Corey Colwell appeared, MSC Civil Engineers. He discussed force mains going under a public right of way in Hampton not being permissible. Extending gravity sewer was discussed. Sewer does not have adequate cover. They needed to go to septic systems. This project is still three units. Now it's one parcel of land with three units. Each unit will have its own LCA. There are exclusive use lines. All land to the south; unit #2 has use between 2 blue lines and 3<sup>rd</sup> unit has to the right of light blue line (on plans provided).

The project has 56,604 square feet (1.3 acres). Each unit is two stories. They have a front porch and drive under garage. Plans were explained by Mr. Colwell. Best Management practices were discussed.

Temporary erosion control measures were discussed. The rain garden is shown on Sheet C3. They went to PRC and have worked through comments. Stormwater run-off has been reduced.

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Mr. McMahon asked about driveways. Mr. Colwell prefers 3 driveways, but if they have to go to 2 they will keep the middle driveway. It will go within the public right of way. He thinks three separate driveways makes more sense. It would be the same amount of impervious area. Since it is close to the Drakeside/Towle Farm Road intersection – speed limits are reduced.

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Mr. Bachand said the development across the street ended up with two curb cuts. Preferably “1” is recommended per the Site Plan Regulations. Mr. Bachand said the line of sight is a concern, as is the distance between driveways for units 2 and 3.

Mr. Bachand said you don’t see the location until you get around the curve. He thinks it can be worked out. Mr. Lessard agrees with Mr. McMahon; he wants the number of driveways brought down. Mr. Olson said if houses were more in relationship to the arced road, each small access to the garage unit could be from common driveway that is a horseshoe or whatever it becomes. The center guy takes all the traffic off his driveway. Mr. Colwell said they could cut down to less than three – the driveway needs to line up with driveway across the street.

Mr. Colwell said DPW wants the driveway to align. Mr. Olson said three curb cuts are too much; zoning doesn’t allow for it.

Mr. Emerick said the road is still a raceway.

Mr. Olson asked about C4 – landscaping is subject to DOT’s permission. Mr. Colwell said that is not the case; DOT does not have jurisdiction. **Mr. Colwell will fix that.**

Ms. Carnaby discussed congestion.

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Mr. Olson discussed the housing units – being three exact duplicate or triplicate units that don’t stick with the Regulations for the driveway. Forcing driveways to houses that don’t work was discussed. Flipping the houses was discussed.

Mr. Colwell said they are drive-under garages. Driveways go to south side of house. Retaining walls alongside of driveway were discussed.

Mr. Olson discussed pavement to Units 2 and 3 as being almost identical. Mr. Colwell agrees. Drive-unders have to be on the low side of units. Elevations are the same. They leave the street within 6” of each other. Mr. Colwell said it could be re-graded and worked. This would help to have two driveways. Mr. Colwell asked about preference to the DPW. He said the worst site difference is #3. Safest site distance is with Units #1 and #2.

Mr. Lessard thinks not backing out to the busy street is the way to go.

Mr. Olson said this appears to be three houses that have nothing to do with the site. Trying to make driveways work with the Regulations and reducing driveways was discussed. Mr. Colwell can fix this in two weeks. He thinks he will get rid of #3. Keep #1 and #2. Houses will come back where they are. There is a 40’ setback and 40’ of separation between the units. There’s a little bit of play.

Mr. Bachand said we need revised plans by **next Wednesday** if he wants to be on for the 20<sup>th</sup>. He asked Mr. Colwell to be in touch with Jennifer Hale at DPW as well.

**MOTION** by Mr. Lessard to continue the application to the January 20, 2016.

**SECOND** by Mr. Emerick.

**VOTE: 7 – 0 – 0.**

**MOTION PASSED.**

**15-067 Campbell Drive**

Map: 156 Lot: 1

Applicant: Judith M. Haufler

Owner of Record: Same

Design Review: Proposed Subdivision

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### MINUTES

January 6, 2016 – 7:00 p.m.

Attorney Steve Ells appeared along with Henry Boyd of Millennium Engineering. The Hauflers have owned this property for 40 years. He discussed that the southbound lane of 95 was a piece of property sold to the State years ago. They filed a Design Review application because of the prime wetland Ordinance. The Conservation Commission has decided to not proceed with that Ordinance. Mr. Ells wants to hear what the Planning Board and abutters have to say nonetheless.

Mr. Boyd stated that he and others have been working for over a year on the boundary. Refining highway bounds were discussed. The Town had this at 15 acres. The land does not belong to the State Liquor Commission. There really is 21 ½ acres. It used to have reversion rights. They want to come to the Planning Board at a future date.

Mr. Boyd said the road would be extended. Test pits and perc tests have been done. There are three viable lots.

The proposal is to extend the road to provide three single-family homes. It would be septic systems and wells. There may be three lots created. There is buildable area to the right (top); soils are good. There are high tension wires there though.

### BOARD PUBLIC

Michael Behan, 20A and B Campbell Drive appeared. He is curious about the lot lines. He is having a surveyor come out. He wants to make sure lot lines are correct.

These would be single family homes.

Sam Lutner, 19A Campbell Drive appeared. His concern is if the house fits the development. If it's huge it will look in his back yard. The cul de sac should remain the same. If the cul de sac is smaller, he won't get his camper in his yard. Mr. Boyd said it was going to revert back to them. Mr. Boyd said he doesn't see a problem leaving it there. Mr. Boyd discussed wetlands; the Hauflers may entertain a gift to the Town for Conservation. Mr. Lutner said from his driveway heading out – water collects. It constantly overflows. Adding a culvert was discussed. Mr. Boyd said it's possible they could catch some of the water. It may be able to be improved.

Mr. Olson asked about the landlocked area. He discussed the uplands piece of parcel.

Mr. Bachand discussed Lot 3. **The dwelling unit appears to be in the 12 foot dwelling structure setback of the wetlands conservation district. It should be checked out.** It's a buffer from the buffer. Mr. Bachand asked if Lot 3 meets the contiguous area outside the wetland conservation district for septic. It is 30,000 square feet contiguous per Section 2.3.7.c.3. Mr. Bachand said the assessor's data conflicts. **The applicant needs to clear this up with Assessing.** This needs to be corrected with the Town. Mr. Bachand said since this is a design review, the Board may determine the design process has ended – he cited the RSA. A formal decision should be noted. Design review is different from conceptual review. A Motion can be taken.

**MOTION** by Mr. McMahon to end the Design Review.

**SECOND** by Mr. Olson.

**VOTE: 7 – 0 – 0**

**MOTION PASSED.**

**15-068 1 Great Gate Drive**

Map: 96 Lot: 2-D1

Applicant: William McPhee

Owner of Record: Same

## HAMPTON PLANNING BOARD

### MINUTES

January 6, 2016 – 7:00 p.m.

Wetlands Permit (ATF): Remove and replace asphalt driveway. (Same footprint & elevation grade).

Mr. McPhee appeared. This is an after-the-fact request. His driveway was in bad shape. He submitted a permit to the DPW, but since he has a cobblestone apron, the DPW came back and said he did not need a permit. He didn't realize it was in the wetlands buffer. The driveway has been re-done; same grade; same footprint. He met with the Conservation Commission and he intends to comply with their recommendations. Mr. Olson was on this site walk with the Conservation Commission and said the oversight was innocent enough.

### PUBLIC

Ms. Dionne said the Conservation Commission supports the application. He was shown which area should stay in its vegetated state.

**MOTION** by Mr. Lessard to grant the after-the-fact Wetlands Permit per the stipulations contained in the Conservation Commission letter dated December 28, 2015.

**SECOND** by Mr. Olson.

**VOTE: 7 – 0 – 0**

**MOTION PASSED.**

### IV. CONTINUED PUBLIC HEARINGS

### V. CONSIDERATION OF MINUTES of December 16, 2015

The Board decided to deal with those Minutes at the next Planning Board meeting.

### VI. CORRESPONDENCE

### VII. OTHER BUSINESS

- **Capital Improvement Plan (CIP) – 2016-2021 Report**

Mr. Bachand asked that the Board approve the report tonight so it can be sent to Selectmen and Town Manager's office. It summarizes the process and will be included in the Annual Report.

**MOVED** by Mr. Lessard.

Mr. Olson doesn't agree with the \$75,000 being something at the Town's discretion – it's a huge amount of money that can be mishandled or misappropriated. It is item 1, projects over \$75,000.

It is a single purchase of \$75,000 or greater per Mr. Emerick. It was set up a long time ago. The trouble with changing it is that the entire CIP has to be redone for all departments for whatever the new number is. It's just an arbitrary number. This just says what we want to spend money on. This is not a purchasing document. This is available on the website per Mr. McMahon.

**MOVED** by Mr. Lessard to accept and forward the CIP Plan to the Board of Selectmen.

**SECOND** by Mr. Olson.

**VOTE: 7 – 0 – 0**

**MOTION PASSED.**

### VIII. ADJOURNMENT

**HAMPTON PLANNING BOARD**

**MINUTES**

**January 6, 2016 – 7:00 p.m.**

**MOTION** by Mr. Emerick to adjourn.

**SECOND** by Mr. Waddell.

**VOTE: 7 – 0 – 0**

**MOTION PASSED.**

MEETING ADJOURNED: 10:16 p.m.

Respectfully submitted,

Laurie Olivier, Administrative Assistant

**\*\*PLEASE NOTE\*\***

**ITEMS NOT CALLED OR IN PROGRESS BY 10:00 P.M.**

**MAY BE CONTINUED TO THE NEXT SCHEDULED MEETING**